

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

NATIONAL EDUCATIONAL
ASSOCIATION, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
EDUCATION, et al.,

Defendants.

Case No. 1:25-cv-00091-LM

**PLAINTIFFS' ASSENTED-TO MOTION TO EXTEND PAGE LIMIT
FOR MOTION FOR PRELIMINARY INJUNCTION**

Plaintiffs move to exceed the 25-page limit under Local Rule (“LR”) 7.1(a)(3) for its memorandum of law in support of Plaintiffs’ anticipated motion for preliminary relief pursuant to Federal Rule of Civil Procedure 65, and a stay pursuant to Section 705 of the Administrative Procedure Act (“APA”), 5 U.S.C. § 705.

1. Plaintiffs seek to file their memoranda of law in support of Plaintiffs’ forthcoming motion for preliminary relief in excess of the 25-page limit under Local Rule 7.1(a)(3). Plaintiffs submit that there is good cause for this relief.

2. Plaintiffs are a national organization that represents approximately three million educators at every level of education and in 14,000 communities in every state, and a state-wide organization that represents more than 17,000 members in New Hampshire, the majority of all public school employees in the state. *See* Compl. (Dkt. 1) ¶¶ 10, 23. Plaintiffs also intend to amend their complaint to add additional plaintiffs with distinct harms caused by the Department of Education’s Dear Colleague Letter issued on February 14, 2025 (the “Letter”), which has national reach and affects schools, colleges, and other stakeholders from pre-K through higher

education. Plaintiffs' complaint asserts seven claims for relief and alleges that the Letter violates several constitutional and statutory provisions, including the First and Fifth Amendments of the United States Constitution, and the APA. *See id.* ¶¶ 119–80. On March 14, 2025, the Department of Education announced the investigation of 45 colleges and universities following the Letter's terms. Plaintiffs file this letter-motion to seek the Court's leave to file opening and opposing memoranda of law of up to fifty-five (55) pages, in light of the need to provide sufficient factual and legal context for the challenge, and the number of statutory and constitutional claims alleged in the complaint.

3. Defendants assent to Plaintiffs' request for leave to exceed the page limit stated in LR 7.1(a)(3).

4. Furthermore, Plaintiffs reciprocally assent to Defendants obtaining leave from this Court to exceed the page limit stated in LR 7.1(a)(3) and obtaining up to fifty-five (55) pages for any objection.

WHEREFORE, Plaintiffs respectfully request that this Court:

- a) Grant this motion to extend page limit;
- b) Afford the Plaintiffs 55 pages for their memorandum in support of their request for preliminary relief; and
- c) Grant all other relief that it deems just and equitable.

Dated: March 19, 2025

Respectfully submitted,

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